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OFFICE OF PETITIONS

In re Application of :
Sevilla :
Application No. 10/601,601 :
Filed: June 23, 2003 :
Attorney Docket No. 100176 :

ON PETITION

This is a decision on the petition under 37 CFR 1.181, filed April 4, 2005, to withdraw the holding of abandonment.

The petition is **granted**.

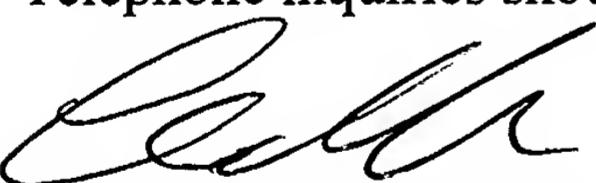
The above-identified application was deemed abandoned for failure to reply in a timely manner to the non-final Office action mailed July 28, 2004, which set a shortened statutory period for reply of one (1) month or thirty (30) days (whichever is later). No extensions of time under the provisions of 37 CFR 1.136(a) were obtained. Accordingly, the above-identified application was deemed abandoned as of August 29, 2004. A Notice of Abandonment was mailed on March 3, 2005.

Petitioner contends a reply was timely filed on August 4, 2004. Petitioner has provided a showing in compliance with 37 CFR 1.8(b) establishing the timely filing of a response.

The Notice of Abandonment is hereby vacated and the holding of abandonment withdrawn.

Technology Center Art Unit 3723 will be informed of the instant decision so that the examiner can consider the paper entitled "Response and Election" filed with the instant petition.

Telephone inquiries should be directed to Petitions Attorney Steven Brantley at (571) 272-3203.


Charles Steven Brantley
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Office of Petitions